

**FEDERAL PUBLIC DEFENDER  
DISTRICT OF NEW JERSEY**

**RICHARD COUGHLIN**  
FEDERAL PUBLIC DEFENDER

1002 Broad Street  
Newark, New Jersey 07102

**CHESTER M. KELLER**  
FIRST ASSISTANT

Hon. Cathy L. Waldor  
United States District Court  
District of New Jersey  
50 Walnut Street  
Newark, NJ 07102

March 23, 2021

Re: *United States v. Maria Sue Bell*, Case No. 2:20-mj-9451

Dear Judge Waldor:

Maria Sue Bell is scheduled for a third bond hearing before Your Honor tomorrow morning. Today, counsel learned that the Justice Department is considering a sedition charge against Thomas E. Caldwell for allegedly leading the January 6, 2021, right-wing uprising that attempted to overturn the election of Joseph R. Biden as President. Katie Benner, “Justice Department Ponders Sedition Charges for Oath Keepers Involved with Riot,” N.Y. Times, Mar. 23, 2021, A20. Mr. Caldwell has already been indicted by a grand jury for conspiracy to obstruct Congress’s election certification; forcible entry into the Capitol; damage to federal property of more than \$1,000; and tampering with evidence in order to obstruct an FBI investigation. Case No. 1:21-cr-28-APM, ECF No. 77 (D.D.C. Mar. 12, 2021).

Per the Indictment, on November 23, 2020, Caldwell texted a co-conspirator:

I believe we will have to get violent to stop this, especially the antifa maggots who are sure to come out en masse even if we get the Prez for 4 more years. . . . I have my own gear, I like to be ON TIME and go where the enemy is . . . .

*Id.* ¶ 31. Later, on January 1, 2021, Caldwell allegedly wrote on Facebook:

I swore to support and defend the Constitution of the United States against all enemies foreign and domestic. . . . [I] have done the latter peacefully *but they have morphed into pure evil* even blatantly rigging an election and paying off the political caste. *We must smite them now* and drive them down.

*Id.* ¶ 48 (emphases added). The same day, an alleged co-conspirator texted Caldwell, calling him “Commander” and indicating that Caldwell would decide “the plan.” *Id.* ¶ 49.

During the Capitol Riot, after storming past the barricades, Caldwell allegedly posted a message on Facebook: “We are surging forward. Doors breached[.]” *Id.* ¶¶ 77-78. Later, Caldwell allegedly deleted photographs from his Facebook account showing his participation in the attack. *Id.* ¶ 88.

Thomas Caldwell was released on bond on March 12, 2021, only a month after his initial appearance. ECF No. 75. Unlike Mr. Caldwell, Ms. Bell has never said anything like “we will have to get violent” to accomplish a political goal. Nor has Ms. Bell ever called Americans who disagree with her “maggots” or “pure evil.” Nor has she bragged about her “gear” and said that she likes to “go where the enemy is.” Nor has she ever said “[w]e must smite” fellow Americans. Nor has she been called a “Commander” in an operation intended to end democracy. Nor has she bragged about “breach[ing]” government security protecting members of Congress. Nor has she ever been accused of tampering with evidence to obstruct an FBI investigation.

Nevertheless, for some reason—the fact that she allegedly supported a Syrian man who told her he loved her? her not-at-all-uncommon anxiety about life in America in 2018? her desire to retire abroad someday?—Ms. Bell has had to present an incredibly restrictive bail package full of sacrifices by her adult children and her partner in the hopes of obtaining home incarceration with GPS monitoring.

Before November 25, 2020, Ms. Bell spent 53 years being a dutiful daughter, wife and ex-wife; a mother who would sacrifice everything for her children; a doting grandmother; a volunteer mentor to students at William Paterson; a research coordinator at a hospital; and an active member in the New Jersey Libertarian Party. The fact that she has spent 120 days incarcerated while purportedly presumed innocent—as people like Thomas Caldwell and countless others are released on unsecured bond—is dispiriting. Ms. Bell’s life until November 25, 2020, must mean something. The presumption of innocence must mean something. We ask the Court to release her on the highly restrictive conditions that the defense has proposed.

Respectfully submitted,

/s/ Rahul Sharma, AFD  
(973) 320-7350  
rahul\_sharma@fd.org